

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 3, 2007

DIVISION TWO

Court convened at 9:30 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Joyce Hatter, Deputy Clerk.

B196879 People
v.
Brown

Merits:

Argued by Pamela J. Voich for appellant and by Nancy G. James, Deputy Attorney General for respondent. Cause submitted.

Court adjourned.

B197627 People (Not for Publication)
v.
Lehman

The order under review is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Chavez, J.

DIVISION FOUR

B192475 People (Not for Publication)
v.
Wilkerson

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

B192510 In re Took
on
Habeas Corpus

(Not for Publication)

The petition for habeas corpus is granted and the trial court is directed to resentence defendant to a new aggregate term that does not exceed the aggregate term imposed in 1993, and which does not use the same conviction or the resulting prison term as a basis for both the principal term and as a sentence enhancement to that term.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

December 3, 2007 (Continued)

DIVISION FOUR (continued)

B193742 Assi Super, Inc. (Not for Publication)
v.
Eight Oxfords Property Management, Inc.

The judgment is affirmed as to the unlawful detainer based on rent and failure to construct the parking structure, including the award of \$80,000 in rent plus interest. The judgment is reversed as to the award of operating expenses. The issue of forfeiture of the sublease is moot. Each side is to bear its costs on appeal.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

DIVISION FIVE

B196226 Stephan Michael Sperling (Not for Publication)
v.
Wendy Norma Courtney, as Trustee, etc.,

The January 29, 2007 order under Probate Code section 21320 is affirmed. Stephen Michael Sperling, petitioner, is to recover his costs on appeal from Wendy Norma Courtney, as trustee of the Samuel J. and Beatrice Sperling Family Trust.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

December 3, 2007 (Continued)

DIVISION FIVE (continued)

B190948 Green Wood Industrial Company
v.
Forceman International et al.

Filed order denying petition for rehearing. Armstrong, J. would grant rehearing.

DIVISION SIX

B193077 The People
v.
Garcia

Cause submitted. Additional briefing complete.

DIVISION SEVEN

B195530 People (Not for Publication)
v.
Sterling B.

The matter is remanded to the juvenile court with directions to exercise its discretion in setting Sterling B.'s maximum period of confinement pursuant to section 731, subdivision (b). In all other respects the juvenile court's disposition order is affirmed.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

DIVISION SEVEN (continued)

B189838 People (Not for Publication)
v.
Perez

The judgment is affirmed.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

DIVISION EIGHT

B189056 People v. Jones (Certified for Publication)

The judgment is hereby modified so as to reduce the section 1202.4 and section 1202.45 fines to no more than \$10,000 each; the judgment is otherwise affirmed. The trial court is directed to amend the abstract of judgment to reflect these modifications and to forward a certified copy of the amended abstract to the Department of Corrections. (§§1213, 1216.)

Rubin, J.

We concur: Cooper, P.J.
Flier, J.

B190745 People (Not for Publication)
v.
Tyler,

The judgment is affirmed.

Egerton, J. (Assigned)

We concur: Cooper, P.J.
Rubin, J.

DIVISION EIGHT (continued)

B188153 Shaw (Not for Publication)

v.

Saladino, Los Angeles County Public Administrator,

The order confirming the sale of real property entered October 14, 2005, is reversed. The November 1, 2004 order appointing the public administrator and issuing letters is vacated. The case is remanded to the trial court. Each party to bear his or her costs on appeal.

Cooper, P.J.

We concur: Rubin, J.
Flier, J.

B196920 People (Not for Publication)

v.

White

The sentence is vacated and the case is remanded for reconsideration of appellant's Romero motion. In all other respects, the judgment is affirmed.

Flier, J.

We concur: Cooper, P.J.
Rubin, J.

B195184 People (Not for Publication)

v.

Trejo

The judgment is affirmed.

Egerton, J. (Assigned)

We concur: Cooper, P.J.
Rubin, J.